

S/N 10/516,579

PATENT

*Handwritten notes:*  
10/516,579  
4/10/2005  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Kloos et al.

Examiner: Unknown

Serial No.: 10/516,579

Group Art Unit: 1723

Filed: December 2, 2004

Docket: 1330.012US1

Customer No. 21186

Confirmation No. 9930

Title: MEMBRANE DEVICES AND DEVICE COMPONENTS

COMMUNICATION RE: INCORRECT FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby request correction of the Filing Receipt with respect to the above-identified patent application. In the Filing Receipt received May 10, 2005, (copy enclosed), the Applicants listed are: **Kloos, Steven D**, Chanhassen, MN; **Rolchigo, Philip M**, Pittstown, NJ; and **Kung, Chia**, Eden Prairie, MN. The complete list of applicants should be **Kloos, Steven D**, Chanhassen, MN; **Rolchigo, Philip M**, Pittstown, NJ; **Kurth, Christopher J.**, Chaska, MN and **Kung, Chia**, Eden Prairie, MN and in this order. This is evidenced by the Response to Missing Parts filed April 21, 2005.

Applicants would appreciate the above-identified printing error be corrected and that a new "corrected" filing receipt be sent to Applicants' representatives at the address given below.

Respectfully submitted,

STEVEN D. KLOOS ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date

5/25/05

By

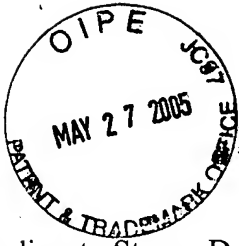
Peter C Maki

Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yrj

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25<sup>th</sup> day of May, 2005.

Yvette R. Jarjou  
Name

[Signature]  
Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Kloos et al.

Title: MEMBRANE DEVICES AND DEVICE COMPONENTS

Docket No.: 1330.012US1

Filed: December 2, 2004

Examiner: Unknown

Serial No.: 10/516,579

Due Date: N/A

Group Art Unit: 1723

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the attached:

- ☒ Communication Re: Incorrect Filing Receipt (1 pg.)
- ☒ Copy of Filing Receipt (2 pgs.)
- ☒ Copy of Response to Missing Parts Notice filed April 11, 2005 (11 pgs.)
- ☒ A return postcard.

No Additional fee is required.

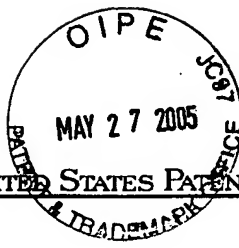
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer No: 21186

By: Peter C. Maki  
Name: Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yrj

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Yvette R. Jarjou  
Name

Yvette R. Jarjou  
Signature



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/516,579	04/21/2005	1723	2714	1330.012US1	2	73	13

CONFIRMATION NO. 9930

49747  
 SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
 GE OSMONICS  
 P.O. BOX 2938  
 MINNEAPOLIS, MN 55402

## FILING RECEIPT



\*OC000000015935876\*

**COPY**

Date Mailed: 05/10/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

- (1) Steven D Kloos, Chanhassen, MN;
- (2) Philip Rolchigo, Pittstown, NJ;
- (4) Chia Kung, Eden Prairie, MN;
- (3) missing

Power of Attorney: The patent practitioners associated with Customer Number 49747.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/17527 06/04/2003  
 which claims benefit of 60/386,032 06/04/2002  
 and claims benefit of 60/386,032 06/04/2002

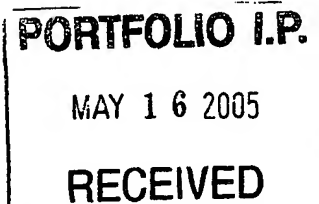
## Foreign Applications

Projected Publication Date: 08/11/2005

Non-Publication Request: No

Early Publication Request: No

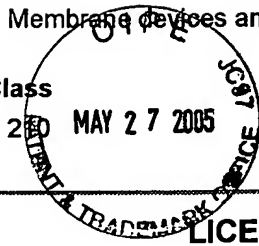
Title



Membrane devices and device components

Preliminary Class

210 MAY 27 2005



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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**COPY****GRANTED**

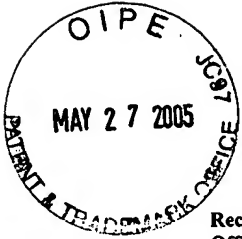
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

In re application of Steven D. Kloos et al.

Serial No. 10/516,579

Filed: December 2, 2004

Title: MEMBRANE DEVICES AND DEVICE COMPONENTS

**CONTENTS:** Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DE/EO/US) (2 pgs.), Communication Re: Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DE/EO/US) (1 pg.), signed Combined Declaration and Power of Attorney (6 pgs) and transmittal document (1 pg.).

EXPRESS MAIL LABELNO. EL 721279562 US

PCM:CMG:yj

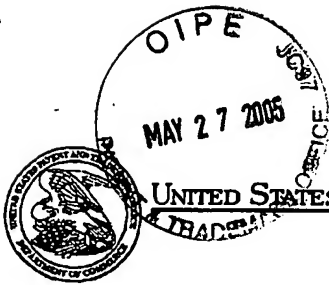
Mailed: April, 21 2005

Docket: 1330.012US1

Due date: May 25, 2005

**COPY**

EL721279562US



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,579	Steven D Kloos	1330.012US1

Schwegman Lundberg Woessner & Kluth  
 P O Box 2938  
 Minneapolis, MN 55402

INTERNATIONAL APPLICATION NO.	
PCT/US03/17527	
I.A. FILING DATE	PRIORITY DATE
06/04/2003	06/04/2002

CONFIRMATION NO. 9930  
 371 FORMALITIES LETTER



\*OC000000015565450\*

**COPY**

Date Mailed: 03/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

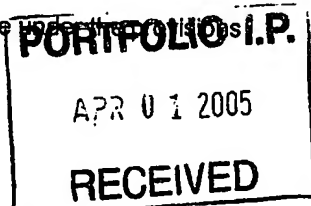
- Copy of the International Application filed on 12/02/2004
- Copy of the International Search Report filed on 12/02/2004
- Copy of IPE Report filed on 12/02/2004
- Preliminary Amendments filed on 12/02/2004
- Information Disclosure Statements filed on 12/02/2004
- Oath or Declaration filed on 12/02/2004
- Request for Immediate Examination filed on 12/02/2004
- U.S. Basic National Fees filed on 12/02/2004
- Assignment filed on 12/02/2004
- Priority Documents filed on 12/02/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).



MRTA

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,579	PCT/US03/17527	1330.012US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COPY**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Kloos et al.

Title: MEMBRANE DEVICES AND DEVICE COMPONENTS

Docket No.: 1330.012US1

Serial No.: 10/516,579

Filed: December 2, 2004

Due Date: May 25, 2005

Examiner: Unknown

Group Art Unit: Unknown

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

We are transmitting herewith the attached:

- ☒ A return postcard.
- ☒ Communication Re: Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DE/EO/US) (1 pg.).
- ☒ A signed Combined Declaration and Power of Attorney (6 pgs.).
- ☒ Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DE/EO/US) (2 pgs.).

Please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number: 49747

By: Peter C. Maki  
Name: Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yrj

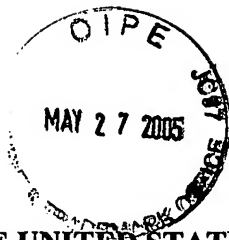
EXPRESS MAIL LABELNO. EL 721279562 US

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Yvette R. Jarjou  
Name

Yvette R. Jarjou  
Signature

S/N 10/516,579



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven D. Kloos et al.	Examiner:	Unknown
Serial No.:	10/516,579	Group Art Unit:	Unknown
Filed:	December 2, 2004	Docket:	1330.012US1
Customer No.:	49747	Confirmation No.:	9930
Title:	MEMBRANE DEVICES AND DEVICE COMPONENTS		

COMMUNICATION RE: NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DE/EO/US)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DE/EO/US)" (see enclosed copy), we submit the Signed Combined Declaration and Power of Attorney.

Applicants assume the application is now in proper order and in condition for examination. Please direct any inquiries to the undersigned attorney at (612) 359-3267.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,  
Steven D. Kloos et al.  
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 4/20/05

By Peter C. Maki  
Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yrj

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Yvette R. Jariou  
Name

Yvette R. Jariou  
Signature



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

**United States Patent Application**  
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MEMBRANE DEVICES AND DEVICE COMPONENTS.**

The specification of which was filed on December 2, 2004 as application serial no. 10/516,579 and was amended on December 2, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

**COPY**

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**  
60/386032

**Filing Date**  
June 4, 2002

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Application Number**  
PCT/US03/17527

**Filing Date**  
June 4, 2003

**Status**  
Published December 11, 2003 as WO  
2003/101575 A2

Attorney Docket No.: 1330.012US1  
Serial No. 10/516,579  
Filing Date: December 2, 2004

Page 2 of 6

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

**Customer Number: 49747**

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402  
Telephone No. (612)373-6900

**COPY**

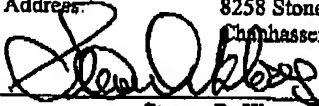
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Steven D. Kloos

Citizenship: United States of America

Residence: Chanhassen, MN

Post Office Address: 8258 Stonecreek Drive  
Chanhassen, MN 55317

Signature: 

Steven D. Kloos

Date: 11 Apr 05

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 1330.012U81  
Serial No. 10/316,579  
Filing Date: December 2, 2004

Full Name of joint inventor number 2: Philip Rolchigo  
Citizenship: United States of America  
Post Office Address: 1 Sterling Lane  
Pittstown NJ 08867

Residence: Pittstown, NJ

Signature: \_\_\_\_\_

Philip Rolchigo

Date: 4/18/2005

**COPY**

Attorney Docket No.: 1330.012US1  
Serial No. 10/516,579  
Filing Date: December 2, 2004

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Page 4 of 6

Full Name of joint inventor number 3 : Christopher J. Kurth

Citizenship: United States of America

Residence: Chaska, MN

Post Office Address: 1610 Prescott Lane

Chaska, MN 55318

Signature: 

Christopher J. Kurth

Date: 13 Apr 05

**COPY**

Attorney Docket No.: 1330.012US1  
Serial No. 10/516,579  
Filing Date: December 2, 2004

Page 5 of 6

Full Name of joint inventor number 4 : **Chia Kung**  
Citizenship: **United States of America**  
Post Office Address: **13775 Chestnut Drive**  
**Apt. 325**  
**Eden Prairie, MN 55344**

Residence: **Eden Prairie, MN**

Signature: \_\_\_\_\_

Chia Kung

Date: \_\_\_\_\_

4/13/05

**COPY**

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

**COPY**

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.